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Attorneys for Respondents

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

YUTTASAK SIMMA,

Petitioner,

v.

ALBERTO GONZALES, in his official capacity  
 as Attorney General of the United States;  
 MICHAEL CHERTOFF, in his official capacity  
 as Secretary of the United States Department of  
 Homeland Security; NANCY ALCANTAR, in  
 her official capacity as Field Office Director for  
 the Office of Detention and Removal Operations  
 for Immigration and Custom Enforcement;  
 DAVID SEPULVEDA, in his official capacity as  
 Director of the Main Jail of the Santa Clara  
 County Correctional Facilities,

Respondents.

No. C 07-3534 MMC

**DECLARATION OF ILA C. DEISS**

Pursuant to Local Rule 7-5 and 28 U.S.C. § 1746, I, Ila C. Deiss, declare as follows:

1. I am employed as an Assistant United States Attorney for the Northern District of California and have been assigned *Simma v. Gonzalez*, C 07-3534 MMC. As such, I have personal knowledge of the following facts and could testify regarding these facts if called to do so.

2. At the inception of this case, the United States Immigration and Customs Enforcement

Declaration of Ila C. Deiss  
 C-07-3534 MMC

(formerly, the Immigration and Naturalization Service) provided me portions of Mr. Simma's administrative Alien File.

3. Attached as Exhibit 1 is a true and correct copy of Simma's Notice to Appear, dated March 28, 2007.

4. Attached as Exhibit 2 is a true and correct copy of Simma's Minutes, Abstract of Judgment, and Complaint in *People v. Simma*, CR 06-2210436, various 2006 dates.

5. Attached as Exhibit 3 is a true and correct copy of Simma's Warrant for Arrest of Alien, and Notice of Custody Determination, dated March 28, 2007.

6. Attached as Exhibit 4 is a true and correct copy of Simma's N-600 Application for Certificate of Citizenship with attachments, signed June 11, 2007.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed under the laws of the United States on this 22nd day of August 2007, in San Francisco, California.

/s/  
ILA C. DEISS